

ORIGINAL



0000106032

RECEIVED

Douglas G. Martin – 004233

2009 DEC 11 A 11: 20

MARTIN & BELL, L.L.C.

365 East Coronado Road, Suite 200

AZ CORP COMMISSION

Phoenix, Arizona 85004

DOCKET CONTROL

Telephone: (602) 230-0030

Arizona Corporation Commission

DOCKETED

DEC 11 2009

DOCKETED BY

mn

Attorneys for WILHOIT WATER COMPANY,
INC

BEFORE THE ARIZONA CORPORATION COMMISSION

In the Matter of THE APPLICATION OF
WILHOIT WATER COMPANY, INC. ON
BEHALF OF ITS BLUE HILLS NO. 3
SYSTEM FOR A PERMANENT RATE
INCREASE

DOCKET NO. W-02065A-07-0313

In the Matter of WILHOIT WATER
COMPANY, INC. ON BEHALF OF ITS
BLUE HILLS NO. 3 SYSTEM FOR
APPROVAL OF A FINANCING
APPLICATION.

DOCKET NO. W-02065A-08-0139

DECISION NO. 70658

COMPLIANCE TO A DECISION

Decision No. 70658 ordered the Company to file an ADEQ "APPROVAL OF CONSTRUCTION" for the arsenic treatment system by December 31, 2009. The Company is requesting an extension of time until August 1, 2010 to file the ADEQ "APPROVAL OF CONSTRUCTION."

The Company only recently received notice that our application to obtain a loan from the Water Infrastructure Finance Authority (WIFA) had been approved. That loan has not yet closed and without the loan the Company does not have the resources to contract for the design and construction the arsenic treatment system. The WIFA loan should close before the end of the year and the Company will contract with a firm to design and construct the arsenic treatment system at that time.

In addition, based on submittal of plans to construct new storage capacity for a related system, the Company is uncertain of ADEQ's ability to review and approve plans

1 in a timely fashion. The Company's sister company, Dells Water, submitted plans to
2 ADEQ on August 21, 2009 and have not yet received an ATC for the new storage
3 capacity.

4 Because of the delay in obtaining financing and the uncertainty of the ADEQ
5 review process, the Company respectfully requests an extension of time to file the ATC
6 until August 1, 2010.

7
8 DATED this 11th day of December, 2009.

9
10 MARTIN & BELL, L.L.C.

11
12 By 

13 Douglas G. Martin
14 365 East Coronado Road, Suite 200
15 Phoenix, Arizona 85004
16 Attorneys for Wilhoit Water Company, Inc.

17
18 ORIGINAL filed with copies
19 mailed/delivered this 11th day
20 of December, 2009 to:

21 Janice Alward, Chief Counsel
22 Legal Division
23 ARIZONA CORPORATION COMMISSION
24 1200 West Washington Street
25 Phoenix, AZ 85007

26 Steve Olea, Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, AZ 85007

1 Compliance Section
2 Arizona Corporation Commission
3 1200 West Washington
4 Phoenix, AZ 85007
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26